IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4143 OF 2004

Mr.Dinesh S.Jaiswal & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Ms.Madhavi Tavnandi for Applicants.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

OCTOBER 5, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. The argument canvassed before this Court is that the allegations made against the Applicants are improbable. It is not possible to accept this submission because the First Information Report clearly implicates the Applicants and the complainant has ascribed role of each of the Applicant. That is matter of investigation. It is

not a case where there is no material on record to implicate the Applicants at all. In the circumstances, not a case for grant of anticipatory bail.

3. Counsel for the Applicants, however, contends that the Applicants are willing to pay the amount towards missing jewellery as alleged by the complainant. As the offence which is registered against the Applicants is not a compoundable offence, the fact that the Applicants are willing to offer the amount, cannot be the basis for grant of anticipatory bail. Hence, dismissed.

A.M.KHANWILKAR, J.